



**U.S. Department of Housing
and Urban Development
Office of the Secretary
Washington, DC 20410-0001**



**United States
Environmental Protection Agency
The Administrator
Washington, D.C. 20460**

MEMORANDUM OF UNDERSTANDING

between the

U.S. Environmental Protection Agency

and the

U.S. Department of Housing and Urban Development

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish a general working agreement between the United States Environmental Protection Agency (EPA) and the United States Department of Housing and Urban Development (HUD) to coordinate their policies and activities in support of brownfields assessment and cleanup, community revitalization and economic redevelopment efforts.

II. Background

Brownfields are abandoned, idled, or under used industrial and commercial properties where redevelopment is complicated by real or perceived environmental contamination. Because of the stigma of contamination and other barriers to redevelopment, brownfields remain unproductive, blighting communities while developers resort to "greenfields" outside cities.

Beginning with the Brownfields Action Agenda announced in 1995, EPA has empowered states, communities and other stakeholders in economic development to work together in a timely manner to address brownfields. EPA's initiative has begun the process of assessing, cleaning up and sustainably redeveloping brownfields, including removing 27,000 sites off the Superfund site inventory and awarding grants to more than 60 cities of up to \$200,000 each to conduct site assessment and response planning.

HUD's Economic Development Initiative (EDI) and Empowerment Zones and Enterprise Communities (EZ/EC) are providing needed resources to revitalize distressed and blighted

communities where many brownfields exist. The Department is committed to building partnerships with local officials, businesses, and neighborhoods to bring and leverage private sector investment in America's communities. HUD works actively to remove impediments to economic and business development and to channel vital public investment into these communities.

On August 28, 1996, the President proposed to substantially expand the brownfields initiative to 300 cities including \$700 million, with \$300 million of that in new investment. The President's proposal calls for expansion of EPA grants to communities for site assessment and redevelopment planning, funding to capitalize revolving loans to finance local brownfields cleanup efforts, expansion of HUD's EDI grants to leverage private, state and local investments to redevelop cleaned up properties and create jobs for the surrounding communities, new EPA training initiatives for jobs in local remediation projects, enactment of the President's \$2 billion brownfields tax incentive proposal, and new support for state voluntary cleanup programs.

It has become increasingly clear that as the brownfields initiative matures, it must provide a series of models for states and municipalities for environmental cleanup and sustainable redevelopment of brownfields properties. A coordinated effort between EPA and HUD will provide an important link between environmental and development officials and specialists and will serve as a model for integration of brownfields cleanup and redevelopment.

III. Agreement

EPA and HUD agree to work together to address the problems of brownfields. This may include:

- A. Jointly developing a brownfields strategy. This strategy will define mechanisms for coordinating the activities of EPA and HUD linking brownfields activities with urban economic redevelopment and neighborhood revitalization, including implementation of the President's proposed Brownfields Initiative. This strategy could be integrated into a national brownfields strategy reflecting federal, state and community activities. The agencies will establish a working group to develop a joint brownfields strategy.
- B. Jointly identifying and implementing actions that link brownfields activities with economic development and neighborhood revitalization. These actions may include:
 - support, including financial and technical assistance, for state, tribal and local governments to develop proposals for integrating brownfields assessment and cleanup with economic development planning;
 - support, including financial and technical assistance, for state governments to develop and implement voluntary cleanup programs, and to coordinate such programs with state economic development initiatives;

- support, including financial and technical assistance, to communities to stimulate and leverage the assessment, cleanup and redevelopment of brownfields;
- support for job training initiatives linked to brownfields assessment, cleanup and redevelopment;
- collaboration in joint projects or proposal reviews for competitions sponsored by either agency; and
- encouragement and technical assistance to field staff to coordinate implementation efforts at the local level.

C. Jointly developing and supporting research addressing brownfields issues. This joint research agenda could include short-term investigations as well as longer-term research, the development of performance measures and benchmarks for joint programmatic initiatives, and the preparation of guidance materials to help states and localities more effectively address brownfields, urban economic redevelopment and neighborhood revitalization.

IV. Programming, Budgeting, Funding, and Reimbursement Arrangement

- A. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this MOU will be handled in accordance with applicable laws, regulations and procedures, and will be subject to separate subsidiary agreements that shall be effected in writing by representatives of both parties.
- B. This MOU in no way restricts EPA or HUD from participating in similar activities or arrangements with other entities or Federal agencies.
- C. Nothing in this MOU shall obligate EPA or HUD to expend appropriations or to enter into any contract or other obligations.

V. Authorities

The authorities governing this MOU are as follows:

- The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA);
- The Emergency Planning and Community Right-to Know Act (EPCRA), also known as SARA Title III; the Resource Conservation and Recovery Act (RCRA), as amended by

the Hazardous and Solid Waste Amendments of 1984 (HSWA), including Subtitle C (hazardous waste), Subtitle D (solid waste), Subtitle I (underground storage tanks); and Subtitle J (otherwise known as the Medical Waste Tracking Act of 1988); The Oil Pollution Act of 1990 (OPA); and any other authorities appropriate to implement this agreement.

- The National Environmental Policy Act of 1969, as amended, (NEPA); and Executive Order 12898 on Environmental Justice.
- Title I of the Housing and Community Redevelopment Act of 1974; Title XIII of the Omnibus Budget and Reconciliation Act of 1993; and Title V of the Housing and Urban Development Act of 1970; and any other authorities appropriate to implement this agreement.

VI. Effective Date

This MOU will become effective upon signature by the Administrator of the U.S. Environmental Protection Agency and by the Secretary of the U.S. Department of Housing and Urban Development, and shall remain in effect until termination by either party. Either party may terminate this MOU upon 90 days written notice to the other party. Its provisions will be reviewed annually and amended or supplemented as may be agreed upon mutually.

VII. Other MOUs

There are no superseding MOUs on this topic between the parties hereto.



Carol M. Browner, Administrator
U.S. Environmental Protection Agency



Henry G. Cisneros, Secretary,
U.S. Department of Housing and
Urban Development

SEP 18 1996

Date

SEP 20 1996

Date